

REMARKS

The following remarks are being submitted as a full and complete response to the Final Office Action dated February 22, 2010 (U.S. Patent Office Paper No. 20100204). In view of the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 11-35 stand for consideration in this application. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Prior Art Rejections

Claims 11-13, 20-25, and 32-35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Moroto (U.S. Patent No. 5,121,326) in view of Nakayama (U.S. Patent No. 5,732,385). Claims 14-19 and 26-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Moroto in view of Nakayama, and in further view of Katou (U.S. Patent No. 6,006,161). Applicants have reviewed the above-noted rejections, and hereby respectfully traverse.

As outlined above, claims 11-35 remain of record. A proper obviousness rejection that relies on a combination of prior art elements requires establishing that the prior art references, when combined, teach or suggest all of the claim limitations. MPEP §2143. Furthermore, “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385 (C.C.P.A. 1970). That is, to render a claim obvious under 35 U.S.C. §103, a determination must be made that the claimed invention “as a whole” would have been obvious to person of ordinary skill in the art when the invention was unknown and just before it was made. MPEP §2142. Accordingly, Applicants respectfully submit that Moroto, either alone or in combination with Nakayama and/or Katou, fails to show each and every limitation of claims 11-35.

For example, none of the cited references teach or suggest that “the number of objects or occupied area ratio displayed is changed in accordance with the running speed of the vehicle by using the changing priorities,” as required by independent claim 11. As noted by the Examiner on page 4 of the Final Office Action, Moroto fails to teach or suggest this required limitation of claim 11. Instead, the Examiner cites the description in Nakayama of

“a vehicle navigation system which can is change the contraction scale ratio of the displayed road map according to various vehicle travel conditions” (col. 1, ll. 14-16) as teaching that an occupied area ratio displayed is changed in accordance with a running speed of a vehicle, as required by claim 11. Applicants respectfully disagree.

As the Examiner further notes on pages 4-5 of the Final Office Action, Nakayama explains that “when the vehicle speed is high, the broader road map can be displayed; and when the vehicle speed is low, the narrower road map near the current vehicle position can be displayed in detail.” (Col. 14, ll. 59-62). The Examiner then notes, on page 5 of the Final Office Action, that he “interprets ‘occupied area ratio’ to be met by the ‘broader road map’ and ‘narrower road map’” described in Nakayama. The present application, however, explicitly explains in paragraph [0045] that “a table is set for **determining the display limit amount for each type of object (a display element such as character/symbol and a road) in accordance with the screen size of the display unit 7**. This limit amount may be set in terms of the number or **the ratio of the occupied area to the area of the display screen 10 (=Total area (number of pixels) occupied by display elements/Area of display screen 10 (number of pixels))**.” (Emphasis added). Then, as an example of setting such an occupied area ratio for a display screen size of 6 inches, the present application provides that “a maximum of 30 **characters/symbols** (or maximum of 20% in **occupied area ratio**) can be displayed, and a maximum of 50 **roads** (or maximum of 30% in **occupied area ratio**) can be displayed.” (Para. [0047]) (emphasis added).

That is, the present application explicitly describes an “occupied area ratio” as describing a ratio of a total number of display pixels used in displaying components such as characters, symbols, and roads to the total number of pixels of a display screen, while Nakayama simply teaches a contraction scale ratio corresponding to an amount of a map being displayed to the total size of the map and includes no mention or suggestion of anything related to ratio describing an amount of a display screen occupied by the elements being displayed. The area referred to by the term “occupied area ratio” in the present application is an area of a display screen. The scale referred to in Nakayama, however, is an area of a road map. As Nakayama explains, “the vehicle speed is, the broader will be the road map range; or the lower the vehicle speed is, the narrower will be the road map range, so that the more detail road map near the current vehicle position can be displayed at low vehicle speed.” (Col. 13, ll. 32-35). The present invention, however, as indicated by the phrase “[o]n the other hand” at the beginning of paragraph [0045], explicitly describes an occupied area ratio as being distinct from “an area including the route area 31 and having the

same aspect ratio as the display screen 10 of the display unit 7 [that] is determined as a map display area 33. This map display area 33 is determined as a display range at step 103.” (Para. [0044]).

Nakayama explains that “the vehicle speed is, the broader will be the road map range; or the lower the vehicle speed is, the narrower will be the road map range, so that the more detail road map near the current vehicle position can be displayed at low vehicle speed.” (Col. 13, ll. 32-35). That is, Nakayama merely provides that a range for a road map is set and that range is displayed according the vehicle speed. A display map that displays **a range of a road map** that is based on the speed of a vehicle as provided in Nakayama, however, is clearly not a summarized map in which **the number of objects or occupied area ratio displayed** is changed based on a running speed of a vehicle, as required by claim 11.

Furthermore, Katou also fails to teach or suggest that “the number of objects or occupied area ratio displayed is changed in accordance with the running speed of the vehicle by using the changing priorities,” as required by claim 11. Katou merely describes a land vehicle navigation apparatus that includes “a display monitor unit for displaying a guidance screen with a map and other information relating to the route search and route guidance in a one-screen mode, or in a multiple-screen mode” and a display controller that a “schematic diagram screen on the one screen when the vehicle is traveling on a highway or expressway. Alternatively, the display controller displays [an] architectural structure shape map screen on the one screen when the vehicle is traveling within towns or cities. Where a characteristic object of interest is present ahead of the present position, the display controller operates to display a screen containing information relating to the characteristic object.” (Abstract; col. 2, ll. 44-53). A multi-screen guidance map upon which the type of map displayed is based on the type of road or region is vehicle is traveling on, as provided in Katou, is clearly not a summarized map in which the number of objects or occupied area ratio displayed is changed in accordance with the running speed of the vehicle by using the changing priorities for roads that are set in accordance with a change in a guide route, as required by claim 11.

Moreover, claim 11 explicitly requires that “the number of objects or occupied area ratio displayed is changed in accordance with the running speed of the vehicle **by using the changing priorities.**” In this regard, Applicants emphasize that “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385 (C.C.P.A. 1970). None of the references cited by the Examiner include any mention or suggestion of any aspect of a display of a map being changed by using the changing priorities for roads that are set in accordance with a change in a guide route.

Furthermore, even if Nakayama were to actually teach “the number of objects or occupied area ratio displayed is changed in accordance with the running speed of the vehicle,” as asserted by the Examiner on pages 4-5 of the Office Action, and Moroto were to actually teach “changing the priorities in said table set for the roads,” as asserted by the Examiner on pages 4-5 of the Office Action, this would simply constitute of a teaching that “the number of objects or occupied area ratio displayed is changed in accordance with the running speed of the vehicle” and “changing the priorities in said table set for the roads.” That is, there is no “using” of any changing priorities for changing the number of objects or occupied area ratio displayed in accordance with a running speed of a vehicle, as required by claim 1, described in the cited references, and, moreover, there is no assertion of any of the cited references teaching the actual using of any changing priorities for changing the number of objects or occupied area ratio displayed in accordance with a running speed of a vehicle made in the Final Office Action. Nevertheless, to render a claim obvious under 35 U.S.C. §103, a determination must be made that the claimed invention “as a whole” would have been obvious to person of ordinary skill in the art when the invention was unknown and just before it was made. MPEP §2142.

For at least these reasons, Applicants respectfully submit that none of the cited references teach or suggest that “the number of objects or occupied area ratio displayed is changed in accordance with the running speed of the vehicle by using the changing priorities” as required by claim 11. Accordingly, Applicants respectfully submit that Moroto, either alone or in combination with Nakayama and/or Katou, fails to teach or suggest each and every limitation of claim 11, and that claim 11 is now in condition for allowance.

For at least similar reasons to those discussed above with reference to claim 11, Applicants respectfully submit that none of the cited references teach or suggest the similar limitation required by claim 23 of “changing the number of objects or occupied area ratio displayed in accordance with the running speed of the vehicle by using the changing priorities,” and that claim 23 is therefore also now in condition for allowance.

Where an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. *In re Fine*, 5 U.P.S.Q.2d 1596, 1598 (Fed. Cir. 1988). Because Moroto, either alone or in combination with Nakayama and/or Katou, fails to teach, disclose, or suggest each and every limitation of claims 11 and 23, and because claims 12-22 and claims 24-35 depend either directly or indirectly from claims 11 and 23 respectively, Applicants respectfully submit that Moroto, either alone or in combination with Nakayama and/or Katou, does not render obvious claims 12-22 and claims 24-35 for at least the reasons

set forth above that the references do not render obvious claims 11 and 23 respectively, and that claims 12-22 and 24-35 are also now in condition for allowance.

Therefore, Applicants respectfully submit that the present invention as claimed is distinguishable and thereby allowable over the prior art of record.

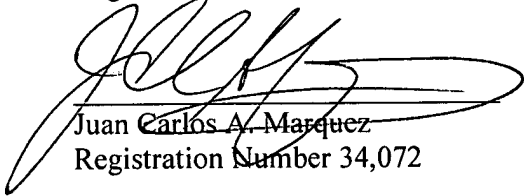
Conclusion

In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as claimed and the prior art references upon which the rejections in the Final Office Action rely. These differences are more than sufficient that the present invention as claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

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